

PLANNING BOARD MINUTES

August 13, 2008

Board members present:

Art Weber, Chairman Ron Wolanski, Town Planner

Jan Eckhart, Vice Chairman Frank Holbrook, Town Solicitor

Audrey Rearick, Secretary

Richard Adams

Frank Forgue

Gladys Lavine

Betty Jane Owen

The meeting was called to order at 6:30 pm.

Minutes

Ms. Rearick requested that the July 30, 2008 minutes be revised to identify the board members who were not present.

Motion by Ms. Owen, seconded by Ms. Rearick, minutes of the July 9, 2008 regular meeting and the special meetings of July 9 and July 30, 2008, as amended. Vote: 7-0-0.

Old Business

1. Peter Gallipeau – Request for one-year extension of the Master Plan approval for the Saltwood Farm 9-lot Subdivision, Plat 126, Lots 4, 216, 217, 218

Mr. Weber stated that the applicant is requesting a one-year

extension of the December 18, 2007 master plan approval for the subject subdivision.

Motion by Ms. Owen, seconded by Mr. Eckhart, to grant a one-year extension of the master plan approval for the subject subdivision.

Vote: 7-0-0.

2. Omni Land Company, Request for 90-day extension of final subdivision plan approval. 9-lot subdivision of land fronting on West Main Rd. Plat 111, Lots 8, 9, 9a, &10.

Attorney David Martland represented the applicant. He stated that the applicant is seeking an extension to allow for the work necessary to address the remaining conditions of approval, and recording of the plan.

Motion by Ms. Rearick, seconded by Ms. Owen to grant an additional 90-day extension of the final subdivision plan approval. Vote: 7-0-0.

3. Request of the Town Council for an advisory recommendation on a proposal to amend the Middletown Zoning Ordinance Section 603 regarding dimensional regulations in the Office Park (OP) zoning district.

Mr. Weber stated that PARE Corporation has begun work on the study based on the scope of work approved by the Planning Board at the July 30, 2008 special meeting. The results of the study are expected to be available before the September Planning Board meeting.

Motion by Ms. Rearick, seconded by Ms. Owen, to continue this matter to September 10, 2008 regular planning board meeting. Vote: 7-0-0.

4. Discuss revised draft Zoning Ordinance amendment relating to wind energy conversion facilities

Mr. Wolanski stated that he had provided that Board with a revised draft of the proposed ordinance which incorporates changes resulting from the discussion at the July 9, 2008 special meeting.

There was discussion of the overall height limit in the draft of 200ft. Mr. Eckhart requested a map describing the FAA surfaces which would have an effect on placement and height of towers.

Mr. Wolanski stated that the draft had been distributed to several people for comment, including the Building/Zoning Official, and Christine Forster.

Christine Forster, Chair of the town's wind turbine committee, stated that she had reviewed the draft and will provide comments to Mr. Wolanski.

Kitty Opishinski, a local dealer of small wind systems, requested that the Board consider allowing roof-mounted turbines to extend to 15 feet above the roof without the need for a special use permit, rather than the 10 feet in the current draft.

The Board agreed that a special meeting to review the final draft might be useful once all comments are received, and a final draft is completed.

Motion by Ms. Rearick, seconded by Ms. Owen, to continue the matter to the September 10, 2008 Planning Board meeting. Vote: 7-0-0.

5. Discussion possible Comprehensive Plan, Future Land Use Plan amendment. Former Navy Lodge parcel, northwest corner intersection of Coddington Highway & West Main Rd

Mr. Weber stated that he would like to begin the process to re-designate the former Navy Lodge parcel for an appropriate use on the Future Land Use Plan in the Comprehensive Plan.

Mr. Wolanski stated that the Board had wanted to wait for the completion of the recreation master plan, which has been delayed. There are differing views for the best use of the property.

There was discussion of the recently released Navy master plan for the Naval Station Newport, which identifies the subject parcel as being surplus to the Navy's needs.

Mr. Wolanski was asked to talk with the Recreation Director to determine the likelihood that the parcel would be recommended for use as a park.

Motion by Ms. Owen, seconded by Ms. Rearick, to continue the matter to the September 10, 2008 Planning Board meeting. Vote: 7-0-0.

6. Discuss process for Comprehensive Community Plan 5-year update

Mr. Weber stated that he had talked to Mr. Wolanski about the need to identify the priority areas in the plan for revision.

By consensus this matter was continued to the September 10, 2008 meeting at which time a list of priority sections for updating will be provided.

7. Review revised draft Inclusionary Housing ordinance

Mr. Wolanski stated that he had not had an opportunity to revise the draft ordinance.

By consensus the matter was continued to the September 10, 2008 Planning Board meeting.

New Business

8. Request of the Zoning Board of Review for an advisory recommendation on a request for a special use permit to allow residential construction with Zone 1 of the Watershed Protection District (Zoning Ordinance, Article 11) Dianna Odell, Oliphant Ln., Plat 111, Lot 667

The applicants were present.

Mr. Weber explained that this same project was previously reviewed by the Board. The special use permit that was subsequently granted by the Zoning Board of Review has lapsed.

Motion by Ms. Rearick, seconded by Ms. Owen, to forward a positive recommendation to the Zoning Board of review consistent with the previous recommendation, dated April 23, 2007. Vote: 7-0-0.

9. Request of the Town Council for an advisory recommendation on a proposal to amend the Middletown Zoning Ordinance, Section 602, Table 6-2 schedule of uses, regarding two-family dwellings.

Mr. Weber stated that the Town Council has adopted an amendment to the Zoning Ordinance to require a special use permit for the development of two-family dwellings in the R-10 & R-20 zoning districts against the recommendation of the Planning Board. The Council has requested that the Board consider an additional amendment that would allow for duplex development in the R-30, R-40 & R-60 zoning districts by special use permit. Currently duplex development is prohibited in these districts.

Mr. Wolanski stated that the Board must determine the consistency of the proposal with the Comprehensive Plan as it considers a

recommendation to the Town Council.

The Board requested that Mr. Wolanski provided some information on the impact on development potential in the affected zoning districts if the proposed amendment were adopted.

By consensus the matter was continued to the September 10, 2008 Planning Board meeting.

10. Consideration of proposed amendment to Section 602, Table 6-1 (Use Table), of the Middletown Zoning Ordinance regarding “Church or other place of worship”.

Fr. David Klampert of St. Michael’s Church addressed the Board. He stated that his congregation is seeking a location to build a new church building. The church currently meets in the Grange hall on East Main Rd. The current zoning in Middletown restricts church uses in the LB and OB zoning districts, limiting options for relocating in Middletown. Fr. Klampert stated that he believes that the restrictions are in violation of federal law.

Mr. Weber stated that the Town Solicitor should review the current regulations and provide a recommendation to the Planning Board.

By consensus the matter was referred to the Town Solicitor for comment and continued to the September 10, 2008 Planning Board meeting.

11. Request of the Middletown Fire Marshall regarding proposed amendments to the Middletown Rules and Regulations Regarding the Subdivision and Development of Land relating to gated communities

Mr. Weber stated that the Board had received a request from the Middletown Fire Marshall regarding the need for standards in the

town's Subdivision and Land Development Regulations for the gate installation and emergency access to gated developments.

By consensus the Board requested that Mr. Wolanski advertise a public hearing for these and other pending proposed amendments to the regulations to held during the September 10, 2008 Planning Board meeting.

Other new business

Mr. Weber stated that Naval Station Newport has released information from its recently completed master plan for the base, including the identification. A copy of the power point presentation given to local officials was included in board member's meeting packets.

Motion by Ms. Owen, seconded by Mr. Adams, to adjourn. Vote: 7-0-0

The meeting adjourned at 7:30pm